

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

HUMBOLDT COUNTY et al.,

Plaintiffs,

vs.

UNITED STATES OF AMERICA et al.,

Defendants.

3:12-cv-00650-RCJ-WGC

**ORDER**

This is a declaratory judgment action concerning rights of way over federal land pursuant to the Mining Act of July 26, 1866. Defendants moved to dismiss the Complaint, but Plaintiffs have filed an Amended Complaint (“AC”), which Defendants have answered. The Court therefore denies the Motion to Dismiss (ECF No. 7) as moot, (*see* Mins. 2 n.1, Aug. 7, 2013, ECF No. 19 (“[A r]esponse to [the] Motion to Dismiss deadline will become moot if the Government files an Answer to the anticipated Amended Complaint.”)), and grants the Motion for Leave to File Excess Pages (ECF No. 11) as to a prospective motion against the AC.

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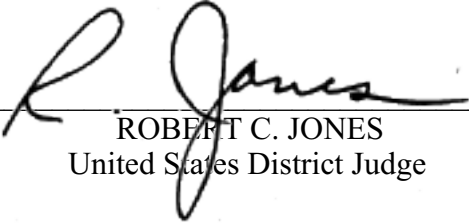
**CONCLUSION**

IT IS HEREBY ORDERED that the Motion to Dismiss (ECF No. 7) is DENIED as moot.

IT IS FURTHER ORDERED that the Motion for Leave to File Excess Pages (ECF No. 11) is GRANTED.

IT IS SO ORDERED.

]Dated this 26th day of November, 2013.

  
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ROBERT C. JONES  
United States District Judge